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16 **UNITED STATES DISTRICT COURT**
17 **DISTRICT OF NEVADA**

18
19 LESLIE R. BAKKE, an individual, ROBERT
20 HANBLEN, an individual

21 Plaintiff,
22 v.
23 HARTFORD INSURANCE COMPANY OF
24 THE MIDWEST, Does 1 through 10, inclusive,

25 Defendant.

26 Case No.: 2:23-cv-01098-GMN-EJY

27 **STIPULATION AND ORDER TO**
28 **EXTEND THE CLOSE OF**
DISCOVERY, DISPOSITIVE
MOTIONS DEADLINE, AND JOINT
PRETRIAL ORDER DEADLINE

29 **SIXTH REQUEST**

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31 IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiff Leslie R.
32 Bakke, through her counsel of record, the law firm of Sidran Law Corp and Defendant

1 Hartford Insurance Company of the Midwest, through its counsel of record, the law firm of
 2 WRIGHT, FINLAY & ZAK, LLP, that the discovery deadlines in this matter shall be
 3 extended ninety (90) days pursuant to LR 26-3. This is the Parties' sixth request for an
 4 extension of the discovery deadlines. The Parties set forth the following information in
 5 support of their stipulation.

6 **I.**

7 **DISCOVERY COMPLETED TO DATE**

8 **A. FRCP 26(a) Disclosures and Supplements**

Title	Date Served
Plaintiff's Initial Disclosure of Documents and Witnesses Pursuant to FRCP 26(a)(1)	September 28, 2023
Hartford Insurance Company of the Midwest's Initial Disclosure of Witnesses and Documents Pursuant to FED. R. CIV. P. RULE 26.1(a)(1)	September 14, 2023
Hartford Insurance Company of the Midwest's First Supplemental Disclosure of Witnesses and Documents Pursuant to FED. R. CIV. P. RULE 26.1(a)(1)	January 30, 2024
Hartford Insurance Company of the Midwest's Second Supplemental Disclosure of Witnesses and Documents Pursuant to FED. R. CIV. P. RULE 26.1(a)(1)	May 23, 2024
Hartford Insurance Company of the Midwest's Third Supplemental Disclosure of Witnesses and Documents Pursuant to FED. R. CIV. P. RULE 26.1(a)(1)	September 11, 2024
Hartford Insurance Company of the Midwest's Fourth Supplemental Disclosure of Witnesses and Documents Pursuant to FED. R. CIV. P. RULE 26.1(a)(1)	November 15, 2024
Hartford Insurance Company of the Midwest's Fifth Supplemental Disclosure of Witnesses and Documents Pursuant to FED. R. CIV. P. RULE 26.1(a)(1)	November 7, 2024
Hartford Insurance Company of the Midwest's Initial Disclosure of Expert Witnesses	November 8, 2024
Plaintiff Leslie Bakke's Initial Disclosure of Expert Witnesses	November 8, 2024
Hartford Insurance Company of the Midwest's Rebuttal Expert Witnesses and Reports	December 18, 2024
Plaintiff Leslie Bakke's Rebuttal Disclosure of Expert Witnesses	December 20, 2024
Hartford Insurance Company of the Midwest's Sixth Supplemental Disclosure of Witnesses and Documents Pursuant to FED. R. CIV. P. RULE 26.1(a)(1)	January 29, 2025
Plaintiff's First Supplemental Disclosure of Documents and Witnesses Pursuant to FRCP 26(a)(1)	February 21, 2025
Plaintiff's Second Supplemental Disclosure of Documents and	March 3, 2025

1 Witnesses Pursuant to FRCP 26(a)(1) |

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3 **B. Written Discovery**

4 Title	5 Date Served
6 Hartford Insurance Company of the Midwest's First Set of 7 Interrogatories to Plaintiff	October 6, 2023
8 Hartford Insurance Company of the Midwest's First Set of Requests 9 for Admissions to Plaintiff	October 6, 2023
10 Hartford Insurance Company of the Midwest's First Set of Requests 11 for Production of Documents to Plaintiff	October 6, 2023
12 Plaintiff's Responses to Hartford Insurance Company of the Midwest's 13 First Set of Requests for Production of Documents to Plaintiff	December 22, 2023
14 Plaintiff's Responses to Hartford Insurance Company of the Midwest's 15 First Set of Requests for Admissions to Plaintiff	December 22, 2023
16 Plaintiff's Responses to Hartford Insurance Company of the Midwest's 17 First Set of Interrogatories to Plaintiff	December 22, 2023
18 Plaintiff's First Set of Requests for Production of Documents to 19 Defendant	August 26, 2024
20 Plaintiff's First Set of Requests for Admissions to Defendant	August 26, 2024
21 Plaintiff's First Set of Interrogatories to Defendant	August 26, 2024
22 Defendant's Response to Plaintiff's First Set of Requests for 23 Production of Documents to Defendant	October 15, 2024
24 Defendant's Response to Plaintiff's First Set of Requests for 25 Admissions to Defendant	October 15, 2024
26 Defendant's Response to Plaintiff's First Set of Interrogatories to 27 Defendant	October 15, 2024
28 Defendant's Second Set of Requests for Admissions to Plaintiff	November 20, 2024
Defendant's Second Set of Interrogatories to Plaintiff	November 20, 2024
Defendant's Third Set of Requests for Admissions to Plaintiff	December 5, 2024
Defendant's Third Set of Interrogatories to Plaintiff	December 5, 2024
Bakke's Responses to Defendant's Second Set of Requests for Admissions	January 10, 2025
Bakke's Responses to Defendant's Third Set of Interrogatories	January 10, 2025
Bakke's Responses to Defendant's Third Set of Requests for Production of Documents	January 10, 2025

24 **C. Depositions**

25 Deponent	26 Date
27 Plaintiff Leslie Bakke	January 31, 2024
28 Robert Hamblen	January 27, 2025
Hartford employee Michelle Burruel	January 30, 2025
Hartford employee Will Shade	January 31, 2025

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2 **D. Subpoenas Issued**

Subpoena	Date
Stanford Healthcare	January 4, 2024

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4 **E. Expert Disclosure**

Initial Expert Disclosure	Date
Both Sides Served Initial Expert Disclosures	November 8, 2024
Hartford Insurance Company of the Midwest's Rebuttal Expert Witnesses and Reports	December 18, 2024
Plaintiff Leslie Bakke's Rebuttal Disclosure of Expert Witnesses	December 20, 2024
Plaintiff's First Supplemental Disclosure of Documents and Witnesses Pursuant to FRCP 26(a)(1)	February 21, 2025

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6 **II.**

7 **DISCOVERY TO BE COMPLETED**

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14 1. Plaintiff will take the deposition of the FRCP 30(b)(6) witness for Defendant.

15 2. Plaintiff will take the deposition of Defendant's medical expert, Dr. Fish.

16 3. Plaintiff will take the deposition of Defendant's liability expert, Mr. Titus

17 4. Defendant will take the deposition of Plaintiff's medical expert, Dr. Oliveri.

18 5. Defendant will take the deposition of Plaintiff's liability expert, Mr. Zalma.

19 6. Defendant will take the deposition of Plaintiff's treating physicians.

20 7. The parties will engage in additional written discovery and notice any

21 additional depositions.

22 The parties anticipate that they may need to conduct other forms of discovery not

23 specifically delineated herein on an as-needed basis. Therefore, the list outlined above is in no

24 way intended to be a comprehensive list of the outstanding discovery that remains to be

25 completed.

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III.

**REASONS DISCOVERY WAS NOT COMPLETED WITHIN THE TIME LIMITS
AND NEEDS TO BE EXTENDED**

“[D]istrict courts . . . retain broad discretion to control their dockets” *Shahrokh v. Harter*, No. 2:21-cv-01126-RFB-NJK, 2021 U.S. Dist. LEXIS 247936, at *4 (D. Nev. Dec. 30, 2021). To prevail on a request to extend discovery deadlines, the parties must establish good cause. *Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 608-09 (9th Cir. 1992). “Good cause to extend a discovery deadline exists if it cannot reasonably be met despite the diligence of the party seeking the extension.” *Las Vegas Skydiving Adventures LLC v. Groupon, Inc.*, No. 2:18-cv-02342-APG-VCF, 2020 U.S. Dist. LEXIS 166073, at *6 (D. Nev. Sep. 10, 2020) (internal quotations omitted). For the reasons set forth below, the parties respectfully submit that good cause supports their request for an extension of the close of discovery, dispositive motions deadline and joint pretrial order deadline.

The Court may note that no additional discovery has been completed since the Parties' fifth request for an extension of the discovery deadlines. However, the Parties have arranged mediation with the Honorable Trevor Atkin (Ret.) for June 30, 2025. The dates available for mediation were much later than the Parties anticipated, and the scheduled mediation will take place only one week before discovery closes. The Parties want to conserve time and expenses and devote resources to settling rather than the considerable costs of completing fact and expert discovery.

An extension of the discovery deadlines will preserve the status quo, and will minimize the expense of the Parties' resources and those of the Court until the mediation concludes. *Mediterranean Enterprises, Inc. v. Ssangyong Corp.*, 708 F.2d 1458, 1465 (9th Cir. 1983). Additionally, it will prevent the risk of the court needlessly expending its energies to further manage the case when the case may well settle as a result of the parties' own accord at the upcoming mediation. *Sommers v. Cuddy*, 2013 U.S. Dist. LEXIS 12430 (D.Nev. 2013).

1 Discovery should be extended as stipulated between the Parties to allow for a full and
2 complete effort to mediate this dispute.

3 In the event the Parties do not settle at mediation, the requested extension will allow
4 the Parties 90 days from the mediation date to schedule and conduct the depositions of expert
5 witnesses and treating physicians and complete any other discovery deemed necessary.

6 **IV.**

7 **PROPOSED SCHEDULE FOR COMPLETING DISCOVERY**

	<u>Current Date</u>	<u>Proposed Date</u>
9 Amend Pleadings and Add Parties:	Closed	Closed
10 Initial Expert Disclosures:	Completed	Completed
11 Rebuttal Expert Disclosures:	Completed	Completed
12 Close of Discovery:	July 7, 2025	September 29, 2025
13 Dispositive Motions	August 28, 2025	October 29, 2025
14 Joint Pretrial Order	August 28, 2025	December 1, 2025
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1 Based on the foregoing, the parties respectfully request this Court grant their
2 Stipulation and Order to Extend the Close of Discovery, Dispositive Motions Deadline, and
3 Joint Pretrial Order Deadline (Sixth Request).

4 DATED this 31st day of March, 2025. DATED this 31st day of March, 2025.

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6 /s/ David R. Sidran
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11 Attorney for Defendant HARTFORD
INSURANCE COMPANY OF THE
MIDWEST

12 **ORDER**

13 **IT IS SO ORDERED.**

14 Dated this 31st day of March, 2025.

15 
16 UNITED STATES MAGISTRATE JUDGE